(1) a nucleotide sequence encoding a murine TRAF1] or a TRAF protein, comprising at least amino acids 180 to 409 of SEQ. ID. NO:2, or at least amino acids 272 to 501 of SEQ. ID. NO: 4 [comprising the amino acid sequence depicted in SEQ. ID. NO: 1;

(2) a nucleotide sequence encoding a murine TRAF2 comprising the amino acid sequence depicted in SEQ. ID. NO:4;

(3) a nucleotide sequence encoding a native mammalian analog of said murine TRAF1 or TRAF2; and

(4) a nucleic acid capable of hybridizing, under stringent conditions, with the complement of nucleic acid encoding the TRAF region of native murine TRAF1 or TRAF2, and encoding a protein having TRAF biological activity].

Please amend claim 17 as follows:

4 ~~17~~. (Twice amended) A method of making a TRAF polypeptide [using a nucleic acid molecule encoding a TRAF according to claim 11] comprising expressing [such] a nucleic acid molecule comprising a nucleotide sequence encoding a native mammalian TRAF1 or TRAF2 protein or a TRAF protein, comprising at least amino acids 180 to 409 of SEQ. ID. NO:2, or at least amino acids 272 to 501 of SEQ. ID. NO: 4, in a cultured host cell transformed with a vector comprising such nucleic acid molecule operably linked to control sequences recognized by said host cell, and recovering the polypeptide encoded by said nucleic acid molecule from the host cell.

Please amend claim 51 as follows:

3 5 ~~51~~. (Amended) An isolated nucleic acid molecule comprising a nucleotide sequence encoding murine TRAF1 (SEQ. ID. NO: 2) [or its native human analog].

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Please amend claim 52 as follows:

Cancel 52. (Amended) An isolated nucleic acid molecule comprising a nucleotide sequence encoding murine TRAF2 (SEQ. ID. NO: 4) [or its native human analog].

The Amendments

The amendments in claims 11 and 17 are fully supported at least at page 20, line 27 and page 21, line 5 of the specification. The other amendments are of formal nature. None of the amendments involve the introduction of new matter into the specification.

The Rejections

Claims 11-13, 17 and 51-52 are pending in this application, and stand rejected on various grounds.

1. The specification was objected to under 35 U.S.C. § 112, first paragraph, "as failing to provide an enabling disclosure and an adequate written description of a[n] isolated nucleic acid encoding a human analog of murine TRAF1 or TRAF2." Claims 51 and 52 were rejected for the same reasons.

Without acquiescing in the Examiner's position, claims 51 and 52 are now specific to murine TRAF1 and TRAF2, which should overcome this rejection.

2. Claims 11 to 13 and 17 were rejected under 35 U.S.C. § 112, first paragraph, "as the disclosure is enabling only for claims limited to a nucleic acid encoding a native mammalian TRAF1

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or TRAF2 protein or encoding a TRAF protein comprising at least amino acids 180 to 409 of SEQ ID NO:2 or amino acids 264 to 501 of SEQ ID NO: 4."

Without acquiescence in the rejection, claims 11 and 17 have been amended essentially as proposed by the Examiner. The only difference is that the lower limit of the TRAF2 TRAF domain is indicated at amino acid position 272 instead of position 264, in line with the teaching at page 20, line 27, and page 21, line 5 of the specification. Claims 12 and 13 carry the limitations of claim 11. In view of the current amendments, the Examiner is respectfully requested to reconsider and withdraw the present rejection.

3. Claims 51 and 52 were rejected under 35 U.S.C. § 112, second paragraph as "being indefinite" for the use of the term "its native human analog." As this term is no longer present in the claims, the withdrawal of the present rejection would be in order.

4. Claim 17 was rejected under 35 U.S.C. § 112, fourth paragraph "as being in improper dependent form." Claim 17 has been rewritten in independent form, and is commensurate in scope with revised claim 11. Accordingly, the withdrawal of the present rejection is respectfully requested.

5. Claim 17 was rejected under 37 C.F.R. § 101 as being drawn to non-statutory subject matter. The claim has been amended to recite a method for making a TRAF protein, which is believed to moot its rejection.

As the Examiner acknowledged that the claims in this application "are drawn to subject matter which was neither disclosed or suggested by the prior art of record," the present application